



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 3, 2023

Via ECF

The Honorable John F. Keenan
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. Seth Horowitz, 19 Cr. 861 (JFK)

Dear Judge Keenan:

The Government writes to respectfully request that the sentencing control date scheduled in the above-captioned matter for January 6, 2023 be adjourned to July 6, 2023. The defendant, Seth Horowitz, has been cooperating with the Government, and recently testified at the trial of Neil Cole, 19 Cr. 869 (ER). A sentencing date for Cole has not yet been scheduled, and it is unclear at this point whether there will be disputed issues at sentencing that may require a *Fatico* hearing involving testimony from Horowitz. For that reason, the requested adjournment will allow the parties to provide the Court with additional information that may be relevant to the defendant's sentencing.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/
Jared Lenow
Justin V. Rodriguez
Andrew Thomas
Assistant United States Attorneys
(212) 637-1068

cc: Counsel for Seth Horowitz (by ECF)

MEMO ENDORSED

*Sentencing is adjourned
re July 11, 2023 at 2:00 p.m.*

SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.
January 4, 2023